

[IE] Copyright Issues

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*Marie McGonagle
School of Law, National University of Ireland, Galway*

The Joyce estate, which holds the copyright in the works of James Joyce, has warned that it will sue for any breach of copyright occurring during the Bloomsday centenary festival, "ReJoyce Dublin 2004", to be held in June. The warnings have been given to the organisers of the festival, the Government, which is involved in organising some of the events, and RTÉ, the national broadcasting station, among others. The estate has taken legal action on previous occasions, for example in relation to a webcast celebration of Bloomsday and the publication of an anthology of twentieth century Irish writing (see IRIS 2001-10: 15). The warnings in respect of the 2004 festival are likely to curtail a number of events including public readings and a theatre production. Records released under the Freedom of Information Act 1997 reveal that the Government has sought advice on the matter from the Chief State Solicitor's office. All of the main events will be vetted by lawyers to ensure that there is no breach of copyright involved.

Meanwhile, the Government has made regulations to implement certain provisions of Directive 2001/29/EC of 22 May 2001 on the Harmonisation of Certain Aspects of Copyright and Related Rights in the Information Society (see IRIS 2001-5: 3). The Regulations complete the transposition of the Directive into Irish law. They amend the Copyright and Related Rights Act 2000 (see IRIS 2000-8: 13) to give effect to Article 5.1 and Article 6.4 of the Directive. The former requires a mandatory exception for incidental copies of works. The latter imposes an obligation on Member States to secure access to protected material for beneficiaries who are legally entitled to access it. A minor adjustment is also made in the Regulations to exclude sheet music from the "fair dealing" exception that the Act provides for research and private study.

European Communities Copyright and Related Rights Regulations 2004, S.I. 16 of 2004, announced in Iris Oifigiúil (the official journal of the State) on 6 February 2004

<http://www.entemp.ie/tcmr/ipuwork.htm>

